

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

Richmond Division

re Circuit City Stores, Inc.

Case No. 08-35653-KRH

Adv. Proceeding No. _____

Debtor(s)

TRANSMITTAL OF RECORD ON APPEAL TO DISTRICT COURT

Pursuant to 28 U.S.C. 158, Notice of Appeal was filed herein on 1/2/09 and Amended 1/5/09.

The parties included in the Appeal to the District Court:

APPELLANT(S): Developers Diversified Realty Investors, General Growth Properties, Inc., Weingarten Realty Investors, Basser-Kaufman, Inc., Philips International Holding Corp., Regency Centers, L.P., AAC Management Corp., Jones Lang LaSalle Americas, Inc., Continental Properties Co., and

ATTORNEY: Benderson Development Company, LLC

David J. Ervin, Washington Harbour, Ste. 400, 3050 K St., NW, Washington DC 20007

Robert J. LeHane, 101 Park Ave., New York, NY 10178-0002

APPELLEE (S): Circuit City Stores, Inc., et al

ATTORNEY: Dion W. Hayes, Esq. (Local Counsel)

Gregg M. Galardi, Esq

One James Ctr, 901 E. Cary St.

One Rodney Square

Richmond, VA 23219

Wilmington, DE 19899

Brief Description of Judgment/Order Appealed: Decision, dated December 22, 2008, denying the various motions for an Order compelling the Debtors to immediately pay post-petition rent pursuant to sections 365(d)(3) and 503(b)(1)(A) of the Bankruptcy Code (Order Not Entered on Docket)

Date Judgment/Order Entered: January 26, 2009

1. Filing Fees: A. Notice of Appeal - Filing Fee \$5.00 ☒ Paid ☐ Not Paid
B. Appeal Docket Fee - \$250.00 ☒ Paid ☐ Not Paid ☐ Deferred. See attached
2. ☒ Notice of Appeal, Order/Judgment, True Copy Tests of Docket Record, and Designation(s) [if any]
3. ☐ No Designation of Record on Appeal filed (See Certification Below)
4. ☒ Copies of items designated by Appellant/Appellee have ~~been~~ been submitted pursuant to FRBP 8006 and LBR 8

Date: March 03, 2009

WILLIAM C. REDDEN, Clerk of the Court

By: /s/ Jennifer A. Jafarbay, Deputy Clerk

CERTIFICATION TO APPELLATE COURT

It is hereby certified that the designation of record required by Federal Rule of Bankruptcy Procedure 8006 and Local Bankruptcy Rule 8006-1 has not been filed within ten (10) days after the filing of the notice of appeal.

WILLIAM C. REDDEN, Clerk of the Court

By: _____, Deputy Clerk

District Clerk - Please complete and return second copy.

DISTRICT COURT CASE NUMBER _____

Date _____

cc: Attorney for Appellant(s)

Attorney for Appellee(s)

[appttrans ver. 11/01/03]